

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DAMIAN MARTE-TAVERAS,

Petitioner,

-against-

TOM RIDGE, U.S. Department of Homeland Security :  
Director; WILLIAM M. CLEARY, Director, Buffalo :  
DRO Field Office, and MARY ANN GARTNER, District :  
Director, BCIS, New York, :

Respondent.  
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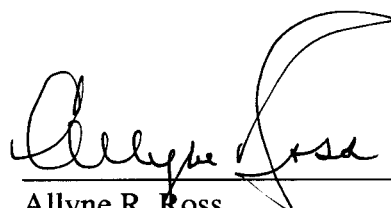
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OPINION AND ORDER

ROSS, United States District Judge:

On May 14, 2004, Petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging the lawfulness of his final removal order on the basis that he is a citizen and national of the United States. By letter dated June 29, 2005, Mr. Marte-Taveras indicates his desire to withdraw his petition "for United States citizenship." The court believes that petitioner intends to withdraw his habeas petition challenging his order of removal. Because of petitioner's ambiguous statement, however, the court will accord petitioner thirty days to alert the court if he does not intend to withdraw his habeas petition. If petitioner does not alert the court, in writing, of a contrary intention by August 29, 2005, the court will deem the habeas petition withdrawn.

SO ORDERED.



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Allyne R. Ross  
United States District Judge

Dated: July 28, 2005  
Brooklyn, New York

SERVICE LIST:

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